

Kenneth W. Turner, Esq. SB# 100393  
LAW OFFICES OF KENNETH W. TURNER  
2057 Forest Avenue, Suite 3  
Chico, California 95928  
Telephone: (530) 898-0774  
Facsimile: (530) 898-0775

**Attorney for Plaintiff,  
FIRE INSURANCE EXCHANGE**

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA**

FIRE INSURANCE EXCHANGE, )	No. CV 08-0367 BZ
)	
)	Magistrate Judge Bernard Zimmerman
Plaintiff, )	
)	
v. )	<b>STIPULATION OF DISMISSAL</b>
SUNBEAM PRODUCTS, INC. )	
and DOES 1 through )	
10, inclusive, )	
)	
Defendants. )	
)	
)	

Plaintiff and defendant file this Stipulation of dismissal under Federal Rule of Civil Procedure 41(a)(1)(ii).

1. Plaintiff is FIRE INSURANCE EXCHANGE; defendant is SUMBEAM PRODUCTS, INC.

2. On November 28, 2007, plaintiff sued defendant in the Superior Court, County of Alameda bearing action number RG 07358222. On January 18, 2008 the matter was removed to Federal Court bearing action number CV 08-0367 BZ.

3. Plaintiff moves to dismiss the suit.

4. Defendant, who has answered, agrees to the dismissal.

6. A receiver has not been appointed in this case.

7. This case is not governed by any federal statute that requires a court order for dismissal of the case.

8. Plaintiff has not dismissed an action based on or including the same claims as those presented in this suit.

9. This dismissal is with prejudice to refiling.

Dated: July 3, 2008

CARROLL, BURDICK & McDONOUGH LLP

By Mark Varney  
S. Mark Varney  
Attorney for Defendant  
Sunbeam Products, Inc.

Dated: July 3, 2008

LAW OFFICES OF KENNETH W. TURNER

By Kenneth W. Turner  
Kenneth W. Turner  
Attorney for Plaintiff  
Fire Insurance Exchange

**IT IS SO ORDERED:**

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JUDGE OF THE FEDERAL COURT